



California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Linda S. Adams
Secretary for
Environmental Protection

Arnold Schwarzenegger
Governor

Unified Program Newsletter October 2007

IN THIS ISSUE:

- | | |
|----------------|--|
| Cal/EPA | New Deputy Secretary for Law Enforcement and Counsel
FY 2006/07 Summary Reports New |
| DTSC | Treated Wood Waste
Developing a Health-Based Methamphetamine Cleanup Standard
2007 Final Notice Verification Questionnaire Mailing |
| OES | SB 391 - Area Plan – Pesticide Drift Update
New Employees |
| SWRCB | New State Water Board Staff
Replacement of Defective Leak Detection Equipment During
Annual Monitoring System Certification
Western Fiberglass, Inc Co-Flow Hydraulic Pressurized Interstitial
Monitoring System Added to LG-113
CUPA Quarterly Reporting (Report 6)
Red Tag Quarterly Reporting
Status of Proposed UST Rulemaking
UST Cleanup Training |

California Environmental Protection Agency

New Deputy Secretary for Law Enforcement and Counsel

Matt Bogoshian has been appointed as the Deputy Secretary for Law Enforcement and Counsel.

Before his appointment by Governor Schwarzenegger in September, he served for more than twelve years as a Deputy District Attorney for the Monterey County Office of the District Attorney. As the lead environmental prosecutor, Matt co-led the statewide prosecution of the 7-Eleven case which resulted in the court ordered creation of the multi-million dollar California Environmental Protection Prosecution Fund administered by the California Attorney General. He served as the Fund's first Chairperson and received the California Attorney General's Award of Distinction for his work.

In 2006, with his statewide colleagues, Matt successfully prosecuted AT&T for underground storage tank violations resulting in the second largest penalty amount of its kind ever ordered – \$25 million dollars. His many successful statewide environmental prosecutions led the way to help level the field for businesses that play by the rules. Before his environmental work, Matt successfully prosecuted thousands of criminal cases. From 1992-1994 Matt worked in private practice for two years as a business litigator.

From 1989-1992 he served as an officer in the U.S. Navy Judge Advocate General Corps where he gained extensive trial experience and earned the Joint Service Commendation Medal for his work in breaking down barriers to interagency cooperation in the fight against international drug dealers.

He was honorably discharged as a Lieutenant Commander. He served for five years as a Trustee and two years as President of the Board for the largest school district in Monterey County. Presently, he is a Board Member for the non-profit community housing corporation, CHISPA, where he serves on the Finance and Strategic Planning Committees. He served on the Blue Ribbon Committee of the "Rally Salinas" and Measure V efforts to keep Salinas's public libraries open. He and his wife, Robin, have been married for 24 years and they have three children; Zach, Ben and Elle.

Matt earned a Juris Doctorate degree from the University of California, Davis and a Masters of Public Administration from San Diego State University. He also holds a Bachelor of Arts degree from San Jose State University.

FY 2006/07 Summary Reports

Thanks to those CUPAs that have submitted their annual summary reports. Cal/EPA will continue to work with the remaining CUPAs to get this information in. After the reports are reviewed and processed into excel files, they will be posted on our web site.

Department of Toxic Substances Control

Treated Wood Waste

During the first week of October 2007, DTSC expects to post on our Treated Wood Waste (TWW) website the Alternative Management Standards for TWW regulations training videos. The videos cover the material that was presented during the June 2007 training sessions. The videos are divided into two sections - Chapter 1 and Chapter 2. Chapter 1 will discuss: History & Background, What is Treated Wood Waste and What is a TWW Facility? The second chapter will discuss: the actual TWW regulation language and certain issues that pertain to CUPAs, LEAs and TWW Facilities. A Chapter 3 video will be posted by the end of October 2007. This chapter will discuss: the TWW Online Notification and the Treated Wood Waste Tracking System (TWWTS). DTSC expects these chapter 1 and 2 videos to be used by employers of TWW handlers in providing training to their employees as required under the TWW regulations.

In addition, the TWW Notification has been available online since August 2007 for all TWW handlers. For compliance with CCR Chapter 34, Section 67386.9, TWW handlers that generate more than 10,000 pounds in any calendar year must obtain an Identification Number and submit the notification within 30 days of exceeding the 10,000 pound limit.

To view the items stated above and to obtain more information visit our DTSC TWW website at http://www.dtsc.ca.gov/HazardousWaste/Treated_Wood_Waste.cfm, contact DTSC at ttw_help@dtsc.ca.gov or call (916) 324-0064.

Developing a Health-Based Methamphetamine Cleanup Standard

The Department of Toxic Substances Control with the Office of Environmental Health Hazard Assessment is required to develop a methamphetamine health-based cleanup standard for contaminated property resulting from illegal methamphetamine manufacturing activities. To view the status of this development, go to:

http://www.dtsc.ca.gov/SiteCleanup/ERP/upload/ERP_Meth-Health-Std.pdf

If the link does not work, copy and paste the link in your internet browser address line.

For information on methamphetamine laboratory cleanup go to

http://www.dtsc.ca.gov/SiteCleanup/ERP/Clan_Labs.cfm

2007 Final Notice Verification Questionnaire Mailing

On November 5, 2007 the Department of Toxic Substances Control (DTSC) will mail the 2007 Verification Questionnaire Final Notice to approximately 25,000 permanent EPA ID number holders.

The package is sent to businesses with permanent California EPA ID numbers that did not respond to the June 2007 mailing. These businesses must verify their facility information, and may or may not owe the EPA ID number verification fee or manifest fees. Businesses are required to return all forms to DTSC within 10 days, even if they do not owe fees or have changes to their facility information.

DTSC has dedicated telephone lines and staff to answer calls regarding the Final Notice verification questionnaire process. Please refer verification questions to (877) 454-4012 (toll-free) if calling from within California, and (916) 255-4439 when calling from outside California. These telephone lines will be extremely busy for several weeks after the mailing. Callers will hear a recorded message while on hold, which provides them with the information about the verification process. We also recommend that businesses go to www.dtsc.ca.gov to look at our Frequently Asked Questions (FAQs) about the verification process. The FAQs can be found under "ID Numbers, Manifests & Fees" on the homepage. We hope these resources will assist businesses with their questions.

As part our normal ID number process, if a business needs a permanent ID number they should go to www.dtsc.ca.gov and print out DTSC Form 1358. If a business needs a temporary ID number they should call (800) 618-6942.

The Department of Toxic Substances Control with the Office of Environmental Health Hazard Assessment is required to develop a methamphetamine health-based cleanup standard for contaminated property resulting from illegal methamphetamine manufacturing activities. Status of this development can be viewed at the following webpage.

http://www.dtsc.ca.gov/SiteCleanup/ERP/upload/ERP_Meth-Health-Std.pdf

If the link does not work, copy and paste the link in your internet browser address line.

For information on methamphetamine laboratory cleanup go to

http://www.dtsc.ca.gov/SiteCleanup/ERP/Clan_Labs.cfm

Office of Emergency Services

SB 391 - Area Plan - Pesticide Drift

The regulations were submitted to Office of Administrative Law (OAL) and the Notice of Proposed Amendment of Regulations was published in Z-Register on August 24, 2007. The Public Comment period started on August 24, 2007 and will run through October 12, 2007. Comments may be submitted

- in writing, to:
OES/Hazardous Materials Unit
3650 Schriever Avenue
Mather, CA 95655
- by fax, ATTN: Jack Harrah, at (916)845-8734
- by e-mail, to: 391comments@oes.ca.gov (no spaces anywhere)
- in person, at:
Public Hearing
Tulare County Agricultural Auditorium
4437 S. Laspina St,
Tulare, CA 93274
Tuesday, October 9, 2007, 2:00 p.m.

The following documents are available on OES Website.

- Notice of Proposed Amendment
- Initial Statement of Reasons
- Existing regulations
- Proposed regulations in underline/strikeout format
- Guidance documents from OES and DPR
- Sample Area Plan

Contact: Jack Harrah (916) 845-8759 - Lead Person for Area Plan – Pesticide Drift

New Employees

Ronald Olguin – Associate Governmental Program Analyst (AGPA). Ron will be assisting OES Unified Program Hazardous Materials Staff on Unified Program activities. He is the Hazardous Materials Emergency Preparedness Grant (HMEP) Coordinator. Ron can be reached by email at Ronald.Olguin@oes.ca.gov and phone at 916-845-8765.

Jeff Tkach – Hazardous Substances Scientist (HSS). Jeff will represent the OES Unified Program Hazardous Materials Unit as a Unified Program evaluator, trainer, forum liaison, and provide technical assistance to Unified Program stakeholders. Jeff can be reached by email at Jeff.Tkach@oes.ca.gov and phone at 916-845-8769.

State Water Resources Control Board

New State Water Board Staff

We are pleased to announce that Mr. Taro Murano accepted a position in the Office of Enforcement, UST Enforcement Unit with the State Water Board. Mr. Murano comes from the Central Valley Regional Water Quality Control Board, Region 5. Mr. Murano worked in the Irrigated Lands Conditional Waiver Program, Compliance and Enforcement Unit to regulate irrigated agricultural operations within the Central Valley Region. Mr. Murano has a BA in Environmental Studies. Please join us in welcoming Taro. He can be reached at tmurano@waterboards.ca.gov or 916-341-5629.

Replacement of Defective Leak Detection Equipment During Annual Monitoring System Certification

It has come to our attention recently that some UST local regulatory agencies are prohibiting the replacement of defective leak detection equipment during the annual UST facility inspection and monitoring system certification. Rather than allowing the immediate replacement of defective equipment, local regulatory agencies are requiring a permit application to be submitted and approved prior to replacement. The State Water Board UST Program sent a letter discouraging this practice and clarifies that local regulatory agencies should not delay allowing the prompt replacement of defective leak detection equipment.

UST Program Contact: Laura Fisher-Chaddock (lchaddock@waterboards.ca.gov; 916-341-5870);

Scott Bacon (sbacon@waterboards.ca.gov; 916-341-5873).

Western Fiberglass, Inc Co-Flow Hydraulic Pressurized Interstitial Monitoring System Added to LG-113

Western Fiberglass, Inc's Co-Flow Hydraulic Interstitial Monitoring System, Propylene Glycol Filled Pressurized Interstitial Space, has been certified as a continuous, liquid filled interstitial space leak detection system for use only with Western Fiberglass, Inc. double-walled/coaxial flexible pipelines of up to 200 feet. The system was added to LG-113 on August 30, 2007. Operating principles can be found by selecting the system off the LG-113 link on the UST Program webpage (http://www.waterboards.ca.gov/ust/leak_prevention/lq113/index.html).

UST Program Contact: Scott Bacon (sbacon@waterboards.ca.gov; 916-341-5873)

CUPA Quarterly Reporting (Report 6)

For the January – March 2007 quarter, 100 CUPAs and PAs (99% of the 101

CUPAs/PAs) submitted quarterly reports (Report 6, Title 27 regulations). UST inspections for Significant Operational Compliance (SOC) totaled 3,576, compared to the previous quarters 3,345 inspections. Local agencies reported that 75% of inspected facilities were in SOC with release detection requirements, 79% were in SOC with release prevention requirements, and 70% were in SOC with both release detection and release prevention requirements. CUPAs issued 13 Red Tags during this quarter. As of March 30, 2007, there were 15,547 UST facilities; 36,832 active and 124,740 closed petroleum USTs; and 2,950 active and 20,514 closed hazardous substance USTs. At the end of the January – March 2007 quarter, the following UST or facility numbers were reported: 732 fewer petroleum USTs, 204 fewer hazardous substance USTs, and 234 fewer UST facilities.

UST Program Contact: Terry Snyder (tsnyder@waterboards.ca.gov; 916-341-5385).

Red Tag Quarterly Reporting

For the January – March 2007 quarter, 6 CUPAs issued 13 Red Tags [Fresno (6), Kern (1), Kings (3), Modoc (1), Santa Cruz (1), and Tehama (1)]. The specific violations cited were as follows:

- 1) 11 violations for conditions at the UST facility threaten to cause a liquid release (Ch. 16, Sec. 2637)
- 2) 1 violation for conditions at the UST facility impair the ability to detect a leak [Ch. 16, Sec. 2636(f)(2)]
- 3) 1 violation for unspecific conditions

UST Program Contact: Terry Snyder (tsnyder@waterboards.ca.gov ; 916-341-5385).

Status of Proposed UST Rulemaking

UST program staff will bring the Title 23 rulemaking package before the full State Water Resources Control Board for approval at the October 2, 2007 Board meeting. We anticipate that the State Board will adopt the proposed regulations, which are unchanged since the July 16, 2007 public hearing, and direct staff to forward them to the Office of Administrative Law for approval. UST program staff is preparing revisions to the UST forms, based on comments submitted to Cal/EPA on the Title 27 proposed rulemaking. There will be another public comment period to solicit comments on the second round of revisions to the proposed forms. We anticipate that both the revised Title 27 rulemaking package will be submitted to OAL at the same time.

The web link for the Title 23 rulemaking package is:

http://www.waterboards.ca.gov/ust/regulatory/rulemaking/regs_proposed.html

The web link for the Title 27 rulemaking package is:

<http://www.calepa.ca.gov/LawsRegs/ProposedRegs/UPCF/Default.htm>

UST Program Contact: Terry Brazell (tbrazell@waterboards.ca.gov; 916-341-5645).

UST Cleanup Training

The SWRCB sponsors training for local and state inspectors who oversee investigation and remediation at UST leak sites. The following courses will be offered through UC Riverside Extension during the fall and winter of 2007-08:

UC Davis Extension, Sutter Square Galleria, 2901 K Street, Sacramento

Subsurface Modeling: Oct. 30

Risk Assessment: Oct. 31- Nov. 1

UC Irvine Learning Center in Orange

Subsurface Modeling: Feb. 26

Risk Assessment: Feb. 27-28

UCR Palm Desert Campus

Subsurface Modeling: March 25

Risk Assessment: March 26-27

Please visit <http://www.extension.ucr.edu/sciences/ust/> to register for these classes on the UC Riverside website.

UST Program Contact: Terry Brazell (tbrazell@waterboards.ca.gov; 916-341-5645).

The Unified Program Section is interested in your comments and suggestions regarding the monthly newsletter. Please provide comments and suggestions to cupa@calepa.ca.gov.

[Cal/EPA Unified Program Home Page](#)